

Sea Fisheries (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

Preliminary.

Clause.

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2. Commencement of Act.

Central Authority.

3. Appointment of commissioners for execution of Act. Lord Lieutenant may remove commissioners and other officers, and appoint officers, &c.
4. Appointment and duties of commissioners.
5. Commissioners, &c. empowered to enforce provisions of this Act.
6. Powers of commissioners.
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9. Fishing vessels on the coast of Ireland to be registered and marked, &c. Penalty for using vessels not registered.

Agreements between Owners of Vessels, &c. and Crews.

10. Commissioners to make regulations as to voluntary agreements.
11. Forms of agreement to be provided, and agreements to be binding.

Repeal of Byelaws imposing Restrictions on Modes of Fishing.

12. Repeal of byelaws.

Regulations as to Trawl and Drift Nets, and Recovery of Fishing Boats and Gear picked up at Sea.

13. Regulations as to trawl, drift, and other nets.

Oyster Fisheries.

14. Transfer of powers from Board of Works to commissioners.
15. Power to make oyster beds.

[Bill 51.]

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Cham.

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10. Fishermen, &c. may use waste shores for the purposes of fishing.
17. Provisions as to watching for fish.
18. Penalty on persons resisting or obstructing fishermen in using waste shores.
19. Penalty on persons assaulting or obstructing any person fishing in a legal manner.
20. Officers and men of Her Majesty's cruisers, and officers and men of coast guard service, empowered to enforce provisions of this Act. Officers and men of the coast guard empowered to act as constables.
21. Offenders may be apprehended if they refuse to tell their names.
22. Penalty on persons using violence.

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23. Powers of water bailiffs.
24. Penalty on opposing or assaulting inspectors, conservators, &c., or persons authorized by them, in execution of this Act.

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25. For the building of piers and harbours and the erection of curing houses, &c. For the building and repairing of vessels and boats and the purchase and repair of fishing gear, &c.

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26. All Acts relating to building, &c. of piers incorporated with this Act.

Legal Proceedings.

27. Recovery of penalties.
28. Appeal from convictions to quarter sessions.
29. Appeal against dismissal.
30. Illegal nets shall be brought before magistrates at petty sessions and destroyed; and legal nets, when used illegally, shall, upon being forfeited, be sold.
31. Offences committed on sea coast where to be tried.
32. 26 & 27 Vict. c. 114. incorporated with this Act.
33. Commissioners to be commissioners of inland as well as sea fisheries.

SCHEDULE.

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B I L L

TO

Amend the laws relative to the Sea Fisheries of Ireland.

A.D. 1868.

WHEREAS it is expedient to amend the laws relating to the sea fisheries of Ireland: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

1. This Act may be cited for all purposes as "The Sea-Sheet-fisheries (Ireland) Act, 1868."

2. This Act shall not come into operation until the *first day of October one thousand eight hundred and sixty-nine.*

Commencement of Act.

Central Authority.

3. The appointment of all officers and all direction and control of the fisheries in Ireland shall be for the future vested in the Lord Lieutenant, and it shall be lawful for the Lord Lieutenant to appoint three commissioners of fisheries, one of whom shall be a civil engineer of at least seven years standing, and as many other officers as may be necessary for carrying this Act into execution, and to remove the commissioners, secretary, or other officer, or any one or more of them, and to appoint another or others in the room of the person or persons so removed or dying or resigning, and to pay to such commissioners, inspectors, clerk, or other officer respectively, out of such monies as may be provided by Parliament for the purpose, such sums by way of annual salaries as the Commissioners of Her Majesty's Treasury shall think fit; and the commissioners shall have equal and co-ordinate powers, authorities, and privileges, so far as regards the carrying into execution the provisions of this Act; and all such powers, authorities, and privileges shall and may be exercised by any one or more of them.

Appointment of commissioners for execution of Act.

Lord Lieutenant may remove commissioners, &c.

4. That such inspectors be appointed as may be found necessary to encourage the fisheries, to give information to fishermen, to procure statistics of the fisheries, to see the law carried out,

Appointment and duties of inspectors.

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to settle disputes between fishermen, to suggest improvements, to report on the state of piers and harbours, and entertain applications for loans.

Commissioners,
&c., empowered
to enforce pro-
visions of this
Act.
5 & 6 Vict.
c. 106. s. 89.

Powers of
commissioners.

5. It shall be lawful for the commissioners, inspectors, or other officers appointed for the purposes of this Act, to use and exercise 5 all powers and authorities for enforcing the provisions of this Act conferred by this Act upon water bailiffs.

6. The commissioners, or any one of them, may examine any witnesses on oath, and with respect to enforcing the attendance 10 of witnesses, and the production of deeds, books, papers, and documents, shall have the same powers as justices of the peace have for such or the like purposes; moreover it shall be lawful for the commissioners, or any one of them, to order any person to be removed from their court who may interrupt the business of the court or refuse to obey their lawful orders in respect of the same; 15 and it shall be the duty of the chief constable, commissioner, or chief officer of police of the county, city, borough, or place in which the court is held to take care that an officer of police do attend that court during its sitting for the purpose of keeping order therein, and to carry into effect any such order of the 20 commissioners or commissioner as aforesaid.

Commissioners to
report annually.
5 & 6 Vict.
c. 106. s. 112.

7. The Lord Lieutenant shall, on or before the *last day of March* in every year, lay before Parliament reports from the commis- 25 sioners, which reports shall contain, as far as may be practicable, a statistical account of the fisheries, arranged and classified under such different heads as may appear to the said commissioners to be most suited and adapted for the purpose, or as may from time to time be directed by the said Lord Lieutenant or other chief governor or governors.

The coast
of Ireland to
be divided
into districts
for the
purposes of
this Act.
5 & 6 Vict.
c. 106. s. 115.

8. For the purpose of facilitating the registering of vessels and 30 boats engaged in the sea and tideway fisheries of Ireland, the commissioners shall divide the coast of Ireland into such and so many districts or divisions, to be designated by such names, marks, or letters as they shall deem fit, and shall and may, if they shall think fit, from time to time alter such districts, divisions, and 35 designations, and such districts, divisions, and designations, or alterations thereof as aforesaid, shall be published by the commissioners in such manner as they may direct, and shall also be recorded in the office of the commissioners.

Fishing
vessels on
the coast of

9. At such of the coast guard stations within such districts or 40 divisions respectively as the commissioners shall appoint, subject to

the consent and approbation of the Lords Commissioners of the Admiralty, there shall be kept in a book or books, to be provided for that purpose, a registry of all vessels, boats, cots, or currachs engaged in fishing, and belonging to places within the district or
 5 division in which such coast guard station may be situate, together with the names of the owners of such vessels, and of the ports of which the same may respectively belong, and the number of men usually employed in each such vessel, boat, cot, or curragh; and the owners of such vessels, boats, cots, or currachs are hereby
 10 required to have registered accordingly their names, and the names of their vessels, and the ports to which they severally belong, and the number of their men; and the owner of each vessel, boat, cot, or curragh shall be furnished by the registering officer for the time being with a certificate of such registry signed by him, and
 15 pay such sum as the commissioners may direct, not exceeding the sum of *one shilling* for each such certificate; and such certificate, or a copy thereof obtained from such registering officer, shall be conclusive evidence of such registration; and the number and mark or letter which shall be assigned to each vessel, boat, cot,
 20 or curragh by the registering officer, together with the names of the vessel, of the owner, or some one of the owners, where more than one, and of the port to which such vessel, boat, cot, or curragh belongs, shall be painted on the stern of such vessel, boat, cot, or curragh; and such number and mark or letter shall be
 25 also painted on the sails and bows or quarters, and on the buoys attached to the nets used with such vessel, boat, cot, or curragh, or on small boards permanently attached to such nets for the purpose, in such manner and in figures of such dimensions as the commissioners shall direct; and if any vessel, boat, cot, or curragh
 30 shall be used for fishing on any part of the coast of Ireland, or within any estuary thereof, at any time after the *first day of October one thousand eight hundred and sixty-nine*, which vessel, boat, cot, or curragh shall not have been so duly registered as aforesaid, or on the stern whereof the name of such vessel, boat, cot, or curragh, that
 35 of the owner or one of the owners, and of the port to which such vessel, boat, cot, or curragh may belong, shall not be so painted, and on the sails, bows, or quarters, and buoys and small boards attached to the nets whereof, such number and mark or letter shall not be so painted, the owner, master, or chief officer of such vessel,
 40 boat, cot, or curragh so used shall for every such offence forfeit and pay a sum not exceeding *ten pounds*: Provided always, that when any such vessel shall not be permanently engaged in fishing, the number and mark or letter may be temporarily attached to the

A.D. 1869.

Included to be registered and marked, &c.

5 & 6 Vict. c. 106. s. 16.

Penalty for using vessels not registered.

A.D. 1869.

sails, bows, and quarters of such vessel, in such manner and for such time as shall be permitted by the commissioners; and provided also, that vessels belonging to places out of Ireland may, for the purposes of this Act, be registered at the coast guard station of any district or division within or adjoining which such vessel shall 5 be engaged in fishing for the time being, the owner, master, or chief officer of any such vessel being subject nevertheless in both last-mentioned cases to forfeit and pay a sum not exceeding *ten pounds* if he shall neglect to comply with the provisions aforesaid; and any officer or man of the coast guard is or are hereby autho- 10 rized to seize and detain in his custody all boats, vessels, &c. not registered and marked as herein directed; and such boats or vessels so seized may be restored to the owner on the penalties and costs incurred being paid.

Agreements between Owners of Vessels, &c. and Crews.

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Com-
missioners to
make regu-
lations as to
voluntary
agreements.

Forms of
agreement
to be pro-
vided, and
agreements
to be binding.

10. The commissioners shall frame regulations, subject to the approval of the Lord Lieutenant, as to the forms of voluntary agreements between the owners of fishing vessels, boats, and crews, as to the period and nature of service, and remuneration.

11. Forms of agreement in conformity with same to be provided 20 by the commissioners, and to be procurable at every coast guard station, on payment of a fee of *one penny*; such agreements, when duly signed in the presence of two witnesses, to be binding on the contracting parties, whether the agreement be based on share of profit or otherwise; and in case of the proof of the breach of 25 such contract it shall be lawful, on conviction at petit sessions, for the magistrate or magistrates to award to the party aggrieved such damages, with costs, as shall seem fit.

Repeal of Byelaws imposing Restrictions on Modes of Fishing.

Repeal of
byelaws.

12. On the *first of August one thousand eight hundred and 30 sixty-nine* all byelaws relating to the sea coast fisheries (except those relating to oysters) shall be repealed and abolished; but it shall be lawful for the commissioners, at any time after the last-men- tioned day, to make inquiry into the expediency and necessity of renewing or reviving any of such byelaws. If on such inquiry 35 they should be satisfied of such expediency or necessity, it shall be lawful for them, subject to the approval of the Lord Lieutenant in Council, and on appeal to him in Council, to revive any of such byelaws, and to make such further byelaws as they may deem expedient.

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*Regulations as to Trawl and Drift Nets, and Recovery of Fishing
Boats and Gear picked up at Sea.*

A.D. 1869.

13. The commissioners, after a local inquiry, and subject to an appeal to the Lord Lieutenant in Council, may, if they think fit, make byelaws for the following purposes :

Regulations,
as to trawl,
drift, and
other nets.

- (1.) To regulate the distance at which trawl boats shall keep from boats fishing for herrings or mackerel with drift nets :
- (2.) To prevent wanton injury to long-line fishing gear :
- 10 (3.) To cause long-line fishers to buoy or mark their gear in such manner as to be easily discernible :
- (4.) And to regulate the form of nets and the size of meshes :
- (5.) All fishing boats, all rigging, gear, or other appurtenances of fishing boats, all nets, buoys, floats, or other fishing
- 15 implements whatsoever, found or picked up at sea, shall, as soon as possible, be delivered at the nearest coast guard station, and any person acting in contravention of this section shall incur a penalty not exceeding *ten pence*.

Oyster Fisheries.

Transfer of
powers
from Board
of Works
to commis-
sioners.

- 20 14. All the present powers with regard to oyster fisheries vested in the Board of Works shall on the *passing of this Act* be vested in the commissioners to be appointed under it.

Power to
make oyster
beds.
8 & 9 Vict.
c. 109, s. 17,
and 13 & 14
Vict. c. 83,
s. 41.

- 15 15. It shall be lawful for the owner or occupier of any land bordering on the sea or any estuary, with the permission in writing of the commissioners, or for any person or persons, with the consent in writing of such owner or occupier, and with the permission in writing of the commissioners, and approved by the Lord Lieutenant or other chief governor, to form or plant any oyster bed or laying on the shore adjacent to such lands, and between
- 30 high-water and low-water mark, and above or below the level of the lowest water mark of spring tides, or for any person or persons, without such consent as aforesaid, and with the permission of the commissioners, to form or plant any oyster bed below low-water mark, as the said commissioners shall think fit, subject
- 35 to the approval of and appeal to the Lord Lieutenant in Council; and it shall be lawful for the several persons forming or planting any such oyster bed or laying to hold the same as private property, and to exercise an exclusive control over the same, and such oyster beds shall be entitled to the like
- 40 protection as is provided in case of any other oyster beds or layings being the exclusive property of any person: Provided

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A.D. 1869. always, that any such permission as last aforesaid shall be lodged with the clerk of the peace of the county in which such oyster beds or layings shall be situate, and in all cases where it shall hereafter become necessary to prove any such permission of the said commissioners in any court of law or justice or elsewhere, 5 a copy obtained from the office of any such clerk of the peace with whom the same may be lodged, and certified by him to be a true copy thereof, shall be received and taken as full and sufficient evidence of the existence of any such permission, and which copy such clerk of the peace is hereby required to furnish at the price of *airpence* 10 for each copy so furnished and certified: Provided always, that the forming and planting of such oyster beds as aforesaid shall not give any exclusive right or title to the occupancy of the said shore, except for the purpose aforesaid, or to the appropriation of any public banks or beds at present resorted to for oysters, but that 15 the rights herein-before granted and conferred are to be considered as exclusively applying to places where no public oyster beds at present exist; saving to the Queen's most Excellent Majesty, and all the subjects of this realm, the free and full exercise and enjoyment of all other rights of fishing or other rights whatsoever in or along the said shore; and provided also, that in case of any such permission being granted to any occupier of any land bordering on the sea or any estuary as aforesaid, or to any person with his consent, or to any other person, such permission shall only continue and be in force during the continuance of such occupancy, 25 or the legal transfer of same to any other person, which shall be duly noticed to the commissioners, and such transfer recorded in the office of the clerk of the peace; and in the case of any permission being granted to any person with the consent of any owner, such permission to plant oyster beds shall only continue and be 30 in force for such period as shall be named in the consent of such owner.

General Provisions.

Fishermen,
&c. may use
waste
shores for
the purposes
of fishing.
5 & 6 Vict.
c. 106. s. 3.

16. It shall be lawful for all fishermen and persons employed by them to enter upon all such beaches, strands, and wastes on or 35 adjoining the sea shore or any estuary, as may be necessary for the purpose of carrying on any herring or other sea fishing, and also to draw up and spread their nets and land their fish upon any such beach, strand, or waste; provided nevertheless, that they shall not erect any fixtures or fixed nets thereon. 40

Provisions
as to watching
for fish.

17. It shall be lawful for all watchmen, directors, and guiders of fishermen, and all such fishermen themselves, and such other

persons as shall necessarily attend the nets or fishings at the times of fishing for herrings, pilchards, and other sea fish, to enter and go into and upon any lands which lie or adjoin near unto any fishing place, fit, convenient, and necessary to watch and to draw or carry the fish on shore, and there to watch for the said fish, and to direct and guide the said fishermen which shall be upon the sea and sea coasts for the taking of the said fish; provided that no person shall be empowered or authorized by this Act to enter in or upon any enclosed garden, or any tillage land with a growing crop thereon.

A.D. 1863.

5 & 6 Vict.
c. 106. s. 4.

- 10 18. If any person shall resist or forcibly obstruct any fisherman, or person employed by him, in entering upon or using for the purposes aforesaid the said benches, strands, wastes, and other lands (save gardens and lands with a growing crop as aforesaid), every person so offending for every such offence shall forfeit and pay
15 any sum not exceeding *five pounds*.

Penalty on persons resisting or obstructing fishermen in using wastes, shores,
5 & 6 Vict.
c. 106. s. 5.

19. If any person shall resist or obstruct any persons lawfully engaged in fishing, or in proceeding to fish, or in returning from fishing, or shall wilfully and maliciously place any net or other engine, or obstruction of any kind, with the intent and design
20 to prevent fish from entering the nets of other persons set or placed in a legal manner, or shall bent or disturb the water, or in any other manner act with the intent and design unlawfully to prevent fish from being taken by any person in a legal manner, or shall wilfully and maliciously injure or destroy the net or
25 boat of any person, every person so offending shall for every such offence forfeit and pay any sum not less than *five pounds* and not exceeding *twenty pounds*, and shall also pay compensation for any net or boat so injured or destroyed; and every such net or other engine or obstruction so placed as aforesaid shall also be
30 forfeited.

Penalty on persons molesting or obstructing any person fishing in a legal manner.
5 & 6 Vict.
c. 106. s. 29,
and 6 & 7
Vict. c. 79.
s. 11.

20. It shall and may be lawful for all officers and petty officers and men belonging to the cruisers of Her Majesty's navy, and for all officers and men of the coast guard, and for all officers and men of the constabulary, anything in any Act of Parliament to the
35 contrary notwithstanding, at all times and in all places, and subject to such directions and regulations as the Lords Commissioners of the Admiralty, or the Inspector general of constabulary, shall from time to time think fit to prescribe, to go on board any vessel employed in fishing, and examine the certificate of registry and
40 nets of such vessel, and whether the regulations of this Act have been complied with, and whether the master and other persons on board such vessel are carrying on the said fishery in the manner

Officers and men of Her Majesty's cruisers, and officers and men of coast guard service, empowered to enforce provisions of this Act.
5 & 6 Vict.
c. 106. s. 36,
and 7 & 8
Vict. c. 109.
s. 2.

[51.]

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A.D. 1869.

Officers and
men of the
coast guard
empowered
to act as
constables.

hereby required, and to seize any illegal nets or engines; or boats, nets, or engines used contrary to the provisions of this Act, or any of the orders, regulations, or byelaws made by the said inspectors; and it shall be lawful for the officers and men employed in the coast guard service in Ireland, or of the constabulary force, to execute, for the purposes of this Act, on sea or on land, the warrants of any justice or justices, as fully and effectually as any person or persons authorized and empowered to execute warrants of any justice or justices in Ireland may now execute the same on land within their respective districts, and also to do all such other Acts on sea or land in relation to the preservation of the peace among persons engaged in fishing, and the enforcement of the provisions of this Act, as any water bailiff or constable may lawfully do within his jurisdiction, and to have all the powers, privileges, and authorities as are conferred on water bailiffs.

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Offenders
may be ap-
prehended if
they refuse
to tell their
names.
5 & 6 Vict.
c. 106. s. 87.

21. When any person shall be found at sea, or on rivers, lakes, or other waters, or on land, offending against any of the provisions of this Act, or of any bylaw, order, or regulation of the commissioners, by the use of any illegal net, engine, or device whatsoever for the taking of fish, or by the use of any net, engine, or device prohibited at that time, or in any other manner, it shall be lawful for any officer or person empowered to enforce the provisions of this Act, or for any person interested in the fishery in which such illegal Act may be committed, to require the person so found offending forthwith to desist from such offence, and also to tell his christian name, surname, and place of abode; and in case such person shall, after being so required, refuse to tell his real name or place of abode, or shall give such a general description of his place of abode as shall be illusory for the purpose of discovery, or shall wilfully continue such offence, it shall be lawful for the officer or person so requiring as aforesaid, and also for any person acting by his order and in his aid, to apprehend such offender, and to convey him, or cause him to be conveyed, as soon as conveniently may be, before a justice of the peace, to be dealt with according to law: Provided always, that no person so apprehended shall on any pretence whatsoever be detained for a longer period than *twenty-four hours* from the time of his apprehension before he shall be brought before some justice of the peace; and that if he cannot, on account of the absence or distance of the residence of any such justice of the peace, or owing to any other reasonable cause, be brought before a justice of the peace within such *twenty-four hours* as aforesaid, then the person so apprehended shall be discharged, but may never-

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theless be proceeded against for his offence by summons or warrant, as if no such apprehension had taken place. A.D. 1869.

23. Where any persons, to the number of three or more together, shall be found by any officer or men of Her Majesty's Navy, or of the coast guard, or constabulary, or any water bailiff or peace officer, by violence, intimidation, or menace, impeding or obstructing, or attempting to impede or obstruct, any other person or persons in the lawful prosecution of any fishery, it shall be lawful for such officer of the navy or coast guard, or constabulary force, or water bailiff, and also for any person acting by his order or in his aid, to apprehend such offenders, and to convey them before a justice of peace, to be dealt with according to law; and every person so offending by such violence, intimidation, or menace as aforesaid, and every person then and there aiding or abetting such offender, shall, upon being convicted thereof, forfeit and pay for every such offence such penalty, not exceeding *twenty pounds*, as to the convicting justice shall seem meet, together with the costs of the conviction, which said penalty shall be in addition to and independent of any other penalty to which any such person may be liable for any other offence against this Act.

Penalty on persons aiding violence, &c. 5 & 6 Vict. c. 106 s. 88.

Water Bailiffs.

23. Every water bailiff shall be empowered to exercise the powers and authorities of a constable for the enforcement of the provisions of this Act, or any byelaw made by the commissioners, and shall be at liberty at all times to enter any boat or vessel engaged in fishing, and to examine all nets, and to seize all engines used contrary to the provisions of this Act, or to any byelaw or order made by the inspectors, and to examine the certificate of registry of any vessel employed in fishing, and the production of his warrant of appointment shall be sufficient authority for such water bailiff acting.

Powers of water bailiff.

24. If any person shall assault, resist, or obstruct any of the inspectors or other officers, or any person acting by their authority, or any water bailiff, or any person acting under them or any of them, in the execution of any of the powers conferred on him or them by this Act, or by any rule, order, or byelaw to be made in pursuance of this Act, every person so offending shall for every such offence forfeit and pay any sum not exceeding *ten pounds*.

Penalty on assaulting or obstructing inspectors, conservators, &c. or persons authorized by them in execution of this Act. 5 & 6 Vict. c. 106 s. 90.

A.D. 1860.

Com-
mis-
sioners
may advance
money for
building, &c.
piers, &c.

Loans for the Encouragement of Fisheries.

25. The commissioners may advance loans for the following purposes :

- (1.) To any person who shall produce such security for the repayment of such money as he may propose to borrow 5
as may be satisfactory to the commissioners, for the building
of piers, cleaning or dredging of harbours, erection of
curing houses or sheds for the purpose of curing or
drying fish, on the certificate of the inspectors that such
work is necessary and important : 10
- (2.) To any person who shall produce such security for the
repayment of such money as he may propose to borrow
as may be satisfactory to the commissioners for the
building and repairing of vessels and boats or the purchase
of fishing gear, or such other purpose as the commis- 15
sioners may certify under their hands to be expedient
for the promotion of the fisheries; but the discharge of
loans for the purposes mentioned in this last paragraph
of this section shall only be made by repayments ex-
tending over a period of not more than *ten years*. 20

*Incorporation of Acts relating to the building and making of
Piers and Harbours.*

All Acts
relating to
building, &c.
of piers in-
corporated
with this
Act.

26. All Acts relating to the building, making, or improvement
of piers and harbours shall be incorporated with this Act; and
after the *passing of this Act* any works to be undertaken or carried 25
out thereunder shall be undertaken and carried out by the com-
missioners appointed under this Act, and grand juries may make
their contributions for such works in the same manner as they
may make advances under the Act of this session, intitled "An
Act to afford Facilities for the Erection of certain Bridges in 30
Ireland."

Legal Proceedings.

Recovery of
penalties.
24 & 25 Vict.
c. 109, s. 35,
and 11 & 12
Vict. c. 92,
s. 34.

27. All fines and penalties imposed by this Act, and all costs
or expenses by this Act directed to be recovered, may, unless other-
wise specially provided, be recovered in a summary manner within 35
six months after the commission of the offence, in manner directed
by an Act passed in the fifteenth year of the reign of Her Majesty
Queen Victoria, chapter ninety-three, intitled "The Petty Sessions
(Ireland) Act, 1851," or any Act amending the same; and all monies

received in respect of fines and penalties recovered under the Act shall be paid as follows; (that is to say,) A.D. 1869.

One third to the person on whose complaint the fine or penalty is recovered, and the remainder to the Crown.

28. If any person shall think himself aggrieved by any judgment, order, or conviction of any justice or justices of the peace, whatever may be the amount of the fine, penalty, or sum of money ordered to be paid, or the term of the imprisonment imposed, such person may appeal to the quarter sessions, in conformity with the provisions of the Petty Sessions (Ireland) Act, 1851.

Appeal from convictions to quarter sessions.
5 & 6 Vict. c. 100, s. 99.

29. And if any person prosecuting shall think himself aggrieved by any order of dismissal, it shall and may be lawful for such person to appeal to such sessions, as directed in the Petty Sessions (Ireland) Act, 1851, with regard to appeals from any conviction, upon giving like notice, and entering into a recognizance, with two sufficient sureties, before any magistrate, in any sum not less than ten pounds, conditioned for the payment of all such costs and expenses as shall be adjudged against him on the hearing of such appeal.

Appeal against dismissal.
5 & 6 Vict. c. 100, s. 100.

30. In case any officer or person hereby authorized and empowered to seize illegal nets or engines, or nets or engines of a legal form and size when used contrary to the provisions of this Act, shall seize the same, it shall and may be lawful for him to retain the same in his custody until the next sitting of the petty sessions court, or any adjournment thereof, in the petty sessions district where the same shall be seized, and at such petty sessions court it shall and may be lawful for the justices to order and direct the same to be forfeited, and in case the same shall be such as cannot be legally used under the provisions of this Act, to order the same to be destroyed, and in case the same shall be such as may be legally used under the provisions of this Act, then and in such case it shall be lawful for such justices to order the same to be sold, or otherwise disposed of as such justice shall direct, and the money arising therefrom, if sold, to be applied in the same manner as the penalties imposed for violation of the provisions of this Act are hereby directed to be applied.

Illegal nets shall be brought before magistrates at petty sessions, and destroyed.

and legal nets, when used illegally, shall, upon being forfeited, be sold.

See 5 & 6 Vict. c. 100, s. 102, and 1 G. L. stat. 2, c. 18, s. 6, 14, 18 G. 3, c. 35, s. 4.

31. Any offence committed under this Act, on the sea coast or at sea, beyond the ordinary jurisdiction of any justice of the peace, shall be deemed to have been committed within the body of any county adjoining on such sea coast or adjoining such sea, and may be tried and punished accordingly.

Offences committed on sea coast where to be tried.
24 & 25 Vict. c. 100, s. 37.

[51.]

B 3

A.D. 1868.

26 & 27 Viet.
c. 114. in-
corporated
with this
Act.

Commissioners to
be commis-
sioners of
inland as
well as sea
fisheries.

32. The Act twenty-six and twenty-seven Victoria, chapter one hundred and fourteen, and any Acts extending the same, shall be incorporated with this Act, and be construed as one Act.

33. The chief and other commissioners of fisheries to be appointed under this Act shall be commissioners for executing the laws affecting both the inland and sea fisheries in Ireland, and all powers now vested in the Board of Works with regard to the fisheries shall be transferred to them. 5

SCHEDULE to which the foregoing Act refers.

FORM OF WARRANT for a WATER BAILIFF.

[Stamp.]

I *A.B.* [or we *A.B.* and *C.D.*, as the case may be,]

5 [name the place or places of residence], do hereby appoint *D.E.*
of [name the place of his residence] a water bailiff,
to protect the oyster fishery of [name the fishery],
pursuant to the Act of Victoria, chapter ,
intituled ;

10 and the said *D.E.* of [name the place of his
residence] is hereby authorized to do all lawful acts as such water
bailiff, according to the provisions of the said Act.

(Signed) *A.B.*

To all to whom it may concern.

15 *Form of Approval of Appointment of Water Bailiff.*

We, the undersigned magistrates assembled in petty sessions at
this day of , A.D. 18 ,

do hereby approve of the above appointment of
as water bailiff for the said oyster fishery [name the fishery]. In

20 witness whereof we hereunto subscribe our names.

A.B.

J.P.

C.D.

J.P.

Sea Fisheries (Ireland).

(Session 1886-1887.)

A

B I L L

To amend the laws relative to the Sea
Fisheries of Ireland.

*(Proposed and brought in by
Mr. Sturt, President of the Irish Academy,
and Mr. Sturt.)*

*Printed by The House of Commons, to be Printed,
1886-1887.*

[No. 4.]

Price 2 s.